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FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-2000)	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES	1102865-0034
DESIGNATED/ELECTED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
CONCERNING A FILING UNDER 35 U.S.C. 371	09//00402
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US99/10750 14 May 99  TITLE OF INVENTION COMBINATION THERAPY FOR THE TREATMENT	14 May 98
HILE OF INVENTION CONDITION THEREOF I LOW THE TREATMENT	OF TUMORS
APPLICANT(S) FOR DO/EO/US Gevas, et al.	
Applicant herewith submits to the United States Designated/Elected Office (DO/D/US) the following	wing items and other information:
1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.	
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under	
3. This is an express request to promptly begin national examination procedures (35 U.S.	S.C. 371))£
4. The US has been elected by the expiration of 19 months from the priority date (PCT).	Article 31).
A copy of the International Application as filed (35 U.S.C. 371(c)(2))	
a. X is attached hereto (required only if not communicated by the Internation	onal Bureau).
b. has been communicated by the International Bureau.	
c. is not required, as the application was filed in the United States Received.  An English language translation of the International Application as filed (35 U.)	
7. Amendments to the claims of the International Application under PCT Article 1	
a. are attached hereto (required only if not communicated by the Internat	
b. have been communicated by the International Bureau.	nonai Burcau).
c. have not been made; however, the time limit for making such amendm	nents has NOT expired.
d. have not been made and will not be made.	
8. An English language translation of the amendments to the claims under PCT A	article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
10.	Examination Repo rt under
PCT Article 36 (35 U.S.C. 371(c)(5)).	
Items 11 to 16 below concern document(s) or information included:	
An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
12. An assignment document for recording. A separate cover sheet in compliance v	wit h 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.	
A SECOND or SUBSEQUENT preliminary amendment.	
14. A substitute specification.	
15. A change of power of attorney and/or address letter.	
Other items or information: Preliminary Amendment; Copy of Search Report (PCT/ISA/210, mailed Nov. 25, 1999); Copy and copy of PCT/RO/146; Copy of the Response to the Involutional Application including copy Computer readable copy of the Sequence Listing (diskett Regarding Content of Paper and Computer Readable Copies	y of PCT/RO/101 Request yitation to Correct y of attachments thereto; te); drawings; Statement
NOTE; EXAMINATION OF THE U.S. NATIONAL PHASE APPLICATIONE CLAIMS AS ORIGINALLY FILED IN THE INTERNATIONAL APPORTE ENCLOSED PRELIMINARY AMENDMENT.	ON SHALL BE BASED ON PLICATION, as amended by

532 Rec'd PCT/PTO 14 NOV 2000

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	10045	PCT/US99/10750			1102865	
17. The foll	owing fees are submitt			CAI	LCULATIONS	
	AL FEE (37 CFR 1.4					
		nination fee (37 CFR 1.482)				
nor internatio	nal search fee (37 CFR	1.445(a)(2)) paid to USPTO	\$1000.00			
	•	repared by the EPO or JPO · · · · ·	31000.00			
		fee (37 CFR 1.482) not paid to ort prepared by the EPO or JPO · ·	\$860.00			
		fee (37 CFR 1.482) not paid to USF 5(a)(2)) paid to USPTO	TO but			
International 1	oreliminary examination	a fee paid to USPTO (37 CFR 1.48 as of PCT Article 33(1)-(4)				
International j	preliminary examination	fee paid to USPTO (37 CFR 1.48	2)			
and all claims	<u>-</u>	PCT Article 33(1)-(4)	•	S	860	
					-	
		ath or declaration later than 2 date (37 CFR 1.492(e)).	0	\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	- 20	=	X \$18.00	\$		
Independent claims	3 -3	=	X \$80.00	\$		
MULTIPLE DEPI	ENDENT CLAIM(S) (if a	pplicable)	+ \$270.00	\$	270	
	TOTA	L OF ABOVE CALCULA	rions =	\$	1130	
Applicant c		us. See 37 CFR 1.27. The fees i	ndicated above	\$	565	
are re duced	0, 112.	SUBT	TOTAL =	\$		
		the English translation later than date (37 CFR 1.492(f)).	20 30	\$		
months from the	carnest claimed priority	TOTAL NATION		\$		
		at (37 CFR 1.21(h)). The assignment (37 CFR 3.28, 3.31). \$40.00 pe		\$		
		TOTAL FEES ENC	LOSED =	\$		
				Am	ount to be refunded:	\$
					charged:	\$ 565
a. A check	k in the amount of \$_	to cover the above	ve fees is enclose	d.		
רעו		23_1702		5	65	
	harge my Deposit Acco cate copy of this sheet is	unt No. 23-1703 in the senclosed.	amount of \$		to cov	er the above fees.
c. X The Coroverpay	mmissioner is hereby at ment to Deposit Accoun	thorized to charge any additional f t No. 23-1703. A duplica	ees which may b	e requ	rired, or credit a enclosed.	nny
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO:						
Customer			SIGNAT	URE:	/ //	
(212)-819	-8200	•	Hans	-Pet	er G. Hof:	fmann
			NAME			·······
Agent's D	irect Line: (	212) -819-8840	37,3	52		
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			REGISTI			

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## **525 Rec'd PCT/PTO 14 NOV 2000**

## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED OFFICE (DO/US)

PCT/US99/10750

14 MAY 1999

15 MAY 1998

International Application Number

International Filing Date

Priority Date(s) Claimed

## **COMBINATION THERAPY FOR THE TREATMENT OF TUMORS**

Title of Invention

GEVAS, Philip C.; GRIMES, Stephen; KARR, Stephen L.; WATSON, Susan A.; and MICHAELI, Dov

Applicant(s) for DO/US

"Express Mail" Label No. EL286880070US

Date of Deposit NOVEMBER 14, 2000.

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

(Type or print name of person mailing paper or fee)

(Signature of person mailing paper or fee)

**BOX PCT** 

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

To the United States Designated Office (DO/US):

- Accompanying this transmittal letter are certain items which are required under 35 U.S.C.
   371 in order that United States National processing of the above identified International application may commence:
  - () at the expiration of the applicable time limit under PCT Articles 22 and 39(1) according to the provisions of 35 U.S.C. 371(b).
  - (X) as soon as possible upon receipt of this express request under 35 U.S.C. 371(f).

- 1. The U.S. National fee [35 U.S.C. 371(c)(1)]
  - a. ( ) was previously transmitted by applicant on (date)\_\_\_\_.
  - b. (X) is submitted herewith as follows:

						OTHER THAN
			<b>SMALL</b>	<u>ENTIT</u>	$\mathbf{Y}$	SMALL ENTITY
<u>FOR</u>	NO. FILED	NO. EXTRA	<u>RATE</u>	<u>FEE</u>	<u>or</u>	<u>RATE</u> <u>FEE</u>
Basic Fee	(For filing wit EPO Search Rep	•	////	\$430	<u>or</u>	///// \$860
Total Claims	-20 =		x 9 =		<u>or</u>	x18 = \$
Ind. Claims	3 - 3	<del></del>	x 40 =		<u>or</u>	x80 = \$
(X) Multiple Do Presented	ependent Claim		+135 =	÷ \$135	<u>or</u>	+270 = \$
	TOTAI <u>NATIC</u>	NAL FEE		<u>\$565</u>	<u>5 or</u>	\$

- i. () A check in the amount of <u>\$</u> is enclosed.
- ii. (X) Please charge the filing fee, multiple dependent claim fee (if applicable), excess independent claims fee (if applicable), and excess total claims fee (if applicable) to Deposit Account No. 23-1703.
- iii. (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account No.**23-1703. A duplicate copy of this sheet is enclosed.
- (iv) ( ) The filing fee is not enclosed.
  - 2. A copy of the International application as filed [35 U.S.C. 371(c)(2)]:
    - a. (X) is transmitted herewith.
    - b. ( ) is not required as the application was filed with the United States Receiving Office.
    - c. ( ) has been transmitted

	i. ( ) by the International Bureau. Date of mailing of the application (from form PCT/IB/308): A copy of form PCT/IB/308 is enclosed.
	ii. ( ) by applicant on (date)
3.	A translation of the International application into the English language [35 U.S.C. 371(c)(2)]:
	a. ( ) is transmitted herewith.
	b. (X) is not required as the application was filed in English.
	c. ( ) was previously transmitted by applicant on (date)
4.	Amendments to the claims of the International application under PCT Article 19 [35 U.S.C. 371(c)(3)]:
	a. (X) are transmitted herewith. However, examination of the U.S. national phase application should be based on the claims as originally filed in the International Application. A Preliminary Amendment to those claims is enclosed with this filing.
	b. ( ) have been transmitted
	i. ( ) by the International Bureau. Date of mailing of the amendments (from form PCT/IB/308):
	ii. ( ) by applicant on (date)
	c. () have not been transmitted as
	<ul> <li>i. () no notification has been received that the International Searching Authority has received the Search Copy.</li> </ul>
	ii. ( ) the Search Copy was received by the International Searching Authority but the Search Report has not yet issued. Date of receipt of Search Copy (from form PCT/ISA/202):
	<ul><li>iii. ( ) applicant chose not to make amendments under PCT Article</li><li>19. Date of mailing of Search Report (from form PCT/ISA/210):</li></ul>

- iv. () the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.
- 5. A Translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]:
  - a. ( ) is transmitted herewith.
  - b. (X) is not required as the amendments were made in the English language.
  - c. () has not been transmitted for reasons indicated at point I.4.b. or c. above.
- 6. An executed declaration for patent application of the inventor [35 U.S.C. 371(c)(4)] complying with 35 U.S.C. 115:
  - a. ( ) was previously submitted by applicant on (date)
  - b. () is submitted herewith; and such oath or declaration
    - i. () is attached to the application.
    - ii. () identifies the application and any amendments under PCT Article 19 which were transmitted as stated in points 1.2.b. or c. and 1.4. and states that they were reviewed by the inventor as required by 37 CFR 1.70.
  - c. (X) will be submitted subsequently.
- II. Concerning other documents:
  - 1. An International Search Report or Declaration under PCT Article 17(2)(a):
    - a. ( ) has been transmitted by the International Bureau. Date of mailing (from form PCT/IB/308): \_\_\_\_\_\_ A copy of form PCT/IB/308 is enclosed
    - b. ( ) is not required as the application was searched by the United States International Searching Authority.

	c. (X) A copy of the International Search Report (PCT/ISA/210, dated Nov. 25, 1999) is transmitted herewith.
	d. ( ) has been submitted by applicant on (date)
2. A	Statement of prior art under 37 CFR 1.97 and 1.98:
	<ul> <li>a. () is transmitted herewith including copies of the references cited on the attached form PTO-1449. Also enclosed is a copy of the International- Type Search Report (PCT/ISA/201/SE), issued in the Swedish priority application.</li> </ul>
	b. ( ) will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. 371(c).
	c. ( ) was previously submitted by applicant on, in application serial no
3.()	An executed Assignment is transmitted herewith for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
	a. () Please charge the \$40.00 assignment recordation fee to Deposit Account No. 23-1703.
	b. ( ) Enclosed is a check in the amount of <u>\$</u>
4. <b>O</b>	ther document(s) or information included:
	<ul> <li>Three sheets of drawings;</li> <li>Preliminary Amendment;</li> <li>Copy of the International Search Report (PCT/ISA/210) mailed Nov. 25, 1999;</li> </ul>
	- Copy of PCT/RO/101 and PCT/RO/146 - Notification Regarding certain Corrections Made <i>Ex Officio</i> ;

of formal drawings).

Copy of the Response to the Invitation to Correct Defects in the

International Application with copies of attachments (the executed page 4 (Signature Page) of PCT/RO/101, the signed PCT Power of Attorney, replacements pages (to satisfy PCT format requirements), and three sheets

- Computer readable (diskette) copy of the Sequence Listing;
- Statement Regarding Content of Paper and Computer Readable Copies of the Sequence Listing; and
- Return postcard.

Respectfully submitted,

Nov. 14, 2000 DATE

Hans-Peter G. Hoffmann

Reg. No. 37,352

Agent for Applicants

Agent's Direct Line - (212)-819-8840

Customer No. 007470 (212 ) 819-8200

enclosures